

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JORDAN PACINI,

Plaintiff,

v.

RMS ROLLER GRINDER,

Defendant.

No. 1:22-cv-00149-ADA-SAB

ORDER RE STIPULATION TO FILE FIRST
AMENDED COMPLAINT AND REMAND
REMOVED ACTION

(ECF Nos. 15, 16.)

Plaintiff initiated this action in the Madera County Superior Court on December 7, 2021, entitled *Jordan Pacini v. RMS Roller Grinder, et al.*, Case No. MCV086271. (ECF No. 1 at 1.) On February 3, 2022, Defendant removed the action to federal court. (*See id.*) On April 14, 2022, the Court issued a scheduling order, setting October 24, 2022, as the deadline for amended pleadings. (ECF No. 11 at 2.) Currently before the Court is the parties' stipulation to grant Plaintiff leave to amend his complaint to join a new third-party defendant and to remand this action to the Madera County Superior Court due to lack of diversity jurisdiction, filed on April 20, 2023. (ECF Nos. 15, 16.) The amended complaint is attached as Exhibit A to the parties' stipulation. (*See* ECF No. 16 at 4-15.) The Court finds good cause to grant the parties' stipulation.

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Accordingly,

1. Plaintiff is granted leave to file a first amended complaint;
2. Plaintiff shall file a first amended complaint within one day of entry of this order;
3. Once Plaintiff files his first amended complaint, the action is automatically remanded to the Madera County Superior Court, Case No. MCV086271; and
4. All pending matters and dates are VACATED.

IT IS SO ORDERED.

Dated: April 26, 2023


UNITED STATES DISTRICT JUDGE